

Question A

Supplemental and Emergency Appropriations

Question A amended Sections 307, 308, and 310 of the County Charter as follows:

SECTION 307

SUPPLEMENTAL APPROPRIATIONS

[Any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council may make a supplemental appropriation for any purpose on or after January 1 of any fiscal year. Prior to January 1 the Council may make a supplemental appropriation only in order to comply with, avail the County of, or put into effect the provisions of federal, state or local legislation or regulations. The Council shall make a supplemental appropriation only after public hearing on at least one week notice. The procedure for disapproval or reduction of supplemental appropriation by the County Executive shall be the same as in the case of the budget.]

Any supplemental appropriation shall be recommended by the County Executive, who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a federal, state, or county law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.

SECTION 308

[EMERGENCY] SPECIAL APPROPRIATIONS

[An] A special appropriation [containing a declaration of emergency, and stating] is an appropriation which states that it is necessary to meet an unforeseen disaster or other emergency, or to act without delay in the public interest. [, and] Each special appropriation shall be approved by not less than six [members of the Council] Councilmembers [, shall be an emergency appropriation]. The Council may [make an emergency] approve a special appropriation at any time after public notice by news release. [Any emergency] Each special appropriation shall specify the [revenues necessary] source of funds to finance it.

SECTION 310

SURPLUS

The County may accumulate earned surplus in any enterprise fund or unappropriated surplus in any other fund. [except that, with] With respect to the General Fund, [such accumulation] any unappropriated surplus shall not exceed five percent of the General Fund revenue for the preceding fiscal year. [Such] An unappropriated surplus may be used to fund any supplemental or [emergency] special appropriations.

The ballot title for Question A was:

Question A

Supplemental and Emergency Appropriations

Amend Sections 307, 308, and 310 of the County Charter to:

- allow the Council to approve a supplemental appropriation for any purpose, by vote of at least 6 Councilmembers, during the first half of a fiscal year, and
- redefine emergency appropriations as special appropriations, and broaden the reasons the Council may approve a special appropriation.

Comparison of Charter before/after Question A

Supplemental Appropriations (§307)

	Charter before 12/7/00	Charter after 12/7/00
Executive recommendation	Required	Required
Source of funds	Executive must specify	Executive must specify
Public hearing	Required	Required
Public notice	1 week	1 week
Approval before 1/1 to implement federal, state, County laws	5 votes required	5 votes required
Approval before 1/1 for any other reason	Not allowed	6 votes required
Approval after 1/1	5 votes required	5 votes required
Bundling (approving more than 1 supplemental appropriation in a single resolution)	Not specifically mentioned; Council staff said could legally be done	Expressly authorized
Executive disapproval or reduction	As in operating budget	As in operating budget

Emergency Appropriations (§308)

	Charter before 12/7/00	Charter after 12/7/00
Name	Emergency appropriation	Special appropriation
Executive recommendation	Not required	Not required
Source of funds	Council must specify	Council must specify
Public hearing	Not required	Not required
Public notice	News release (no time specified)	News release (no time specified)
Reason for appropriation	Unforeseen disaster or other emergency	Unforeseen disaster or other emergency, or to act without delay in public interest
Declaration of Emergency	Required	Not required
Votes required	6	6
Executive approval	Not required	Not required